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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/036,151	12/31/2001	David William James Holmes	10194.8003US	3970
30083	7590	10/06/2004	EXAMINER	
PERKINS COIE LLP/AWS P.O. BOX 1247 SEATTLE, WA 98111-1247			PERSINO, RAYMOND B	
			ART UNIT	PAPER NUMBER

2682

DATE MAILED: 10/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/036,151	Applicant(s) HOLMES ET AL.	
	Examiner Raymond B. Persino	Art Unit 2682	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-25 is/are allowed.
- 6) ☒ Claim(s) 26-31 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 26, 27 and 31 are rejected under 35 U.S.C. 102(e) as being anticipated by Yahia (US 6,138,041).

Regarding claim 26, Yahia discloses a device for safe use of a portable cellular telephone while driving. With reference to figures 1,5, 7-9, Yahia further discloses the adapter module (figure 5), for use with a hands-free car kit having a cradle (figure 5), comprising: communication logic for adapting said handsfree car kit to at least some capabilities of a mobile device (column 2 line 62 to column 3 line 40); and a housing that substantially encloses said communication logic, wherein said housing is conformed to mate with the cradle of the hands-free car kit (columns 4-6).

Regarding claim 27, Yahia further teaches the connector for providing electrical power to the mobile device (figure 1. connector 70).

Regarding claim 31, Yahia further teaches the adapter cradle for holding the mobile devices (figures 1,5,7-9).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 28-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yahia (US 6,138,041) in view of Buonaiuto et al. (U.S. 5,653,336).

Regarding claim 28-30, Yahia discloses the invention but does not explicitly disclose a fastener for holding the mobile device, or that the fastener is a button, nor that the fastener is a clip. In an analogous art, Buonaiuto discloses a cellular phone carrying device including a receptacle for holding the cellular phone. Figure 4 shows a side view of the receptacle / holder including strap, fastener and button for holding the cellular phone in place (column 5 lines 9-19). Therefore, it would have been obvious for a person skilled in the art at the time the invention was made to incorporate the strap/fastener/button as taught by Buonaiuto to the cradle and adapter system of Yahia in order to provide different means to hold the cellular telephone in place depending on the cost and availability of the different fastening means when the cradle is manufactured.

Allowable Subject Matter

5. Claims 1-25 are allowed.

6. The following is a statement of reasons for the indication of allowable subject matter:

Regarding claim 1, the applicant includes the subject matter of: a Bluetooth-enabled wireless device and a handsfree car kit having a cradle, the cradle having a cradle connector, comprising: an adapter module, the adapter module further comprising: Bluetooth logic substantially compatible with at least one Bluetooth standard to wirelessly exchange communication signals with the Bluetooth-enabled wireless device, hands-free communication logic substantially compatible with the handsfree car kit to exchange communication signals with the hands-free car kit, the Bluetooth logic being communicatively coupled to the hands-free communication logic to exchange communication signals, an adapter connector corresponding to the cradle connector, -the adapter connector being adapted to transfer electrical power from the hands-free car kit to the adapter module and to exchange communication signals between the hands-free communication logic in the adapter module and the handsfree car kit, and a housing for enclosing at least part of the Bluetooth logic and the handsfree communication logic, the adapter connector being at least partially secured by the housing and wherein the housing is shaped and sized to fit at least partially into the cradle, wherein the Bluetooth logic, hands-free communication logic and adapter connector are configured to permit communications between the Bluetooth enabled wireless headset and the hands-free car kit. This subject matter, when considered as a whole, comprises a unique combination of subject matter that is neither taught nor suggested by the prior art. Claim 2 depends on claim 1.

Regarding claim 3, the applicant includes the subject matter of: a system for use with a hands-free car kit having a cradle for receiving a wireless device and a Bluetooth-enabled wireless device, comprising: an adapter module, the adapter module further comprising Bluetooth logic substantially compatible with at least one Bluetooth standard to exchange communication signals with the Bluetooth enabled wireless device, hands-free communication logic substantially compatible with the hands-free car kit to exchange communication signals with the hands-free car kit, wherein the Bluetooth logic is communicatively coupled to the hands-free communication logic to exchange communication signals between the Bluetooth-enabled wireless device and the hands-free car kit. This subject matter, when considered as a whole, comprises a unique combination of subject matter that is neither taught nor suggested by the prior art. Claims 4 and 5 are depended on claim 3.

Regarding claim 6, the applicant includes the subject matter of: an adapter module for use with a hands-free car kit and a wireless device wherein the wireless device has a primary wireless communications capability for communicating with other wireless devices and secondary wireless communications capability, the adapter module comprising: wireless transceiver circuitry, the wireless transceiver circuitry being substantially compatible with the wireless device's secondary communications capability to exchange communication signals with the wireless handset; and hands-free communication logic, the hands-free communication logic being substantially compatible with the hands-free car kit to exchange communication signals with the handsfree car kit, the hands-free communication logic being communicatively coupled

to the wireless transceiver circuitry logic to exchange communication signals between the wireless handset and the handsfree car kit. This subject matter, when considered as a whole, comprises a unique combination of subject matter that is neither taught nor suggested by the prior art. Claims 7-14 are depended on claim 6.

Regarding claim 15, the applicant includes the subject matter of: adapting a hands-free car kit having a cradle, comprising: an adapter module, the adapter module further comprising: Bluetooth communication means for wirelessly exchanging communication signals with a Bluetooth enabled wireless device, and hands-free communication means for exchanging communication signals with the hands-free car kit, the Bluetooth communication means being communicatively coupled to the hands-free communication means for exchanging communication signals. This subject matter, when considered as a whole, comprises a unique combination of subject matter that is neither taught nor suggested by the prior art. Claims 16-18 are depended on claim 15.

Regarding claim 19, the applicant includes the subject matter of: adapting a hands-free car kit for communications with a Bluetooth-enabled wireless device, comprising: an adapter module, the adapter module further comprising Bluetooth communication means for exchanging communication signals with the Bluetooth-enabled wireless device, hands-free communication means for exchanging communication signals with the hands-free car kit, the Bluetooth communication means being communicatively coupled to the hands free communication means for exchanging communication signals between the Bluetooth-enabled wireless device and the hands-free communication means. This subject matter, when considered as a whole,

comprises a unique combination of subject matter that is neither taught nor suggested by the prior art. Claims 20 and 22 are depended on claim 19.

Regarding claim 22, the applicant includes the subject matter of: adapting a hands-free car kit for communications with a Bluetooth-enabled wireless device, comprising: receiving communication signals from the hands-free car kit with hands-free communication logic; passing the communication signals from the hands-free communication logic to Bluetooth logic; conveying the communication signals from a first form used by the hands free car kit to a second form used by the Blue tooth-enabled wireless device; and transmitting the communications signals in the second form to the Bluetooth enabled wireless device. This subject matter, when considered as a whole, comprises a unique combination of subject matter that is neither taught nor suggested by the prior art.

Regarding claim 23, the applicant includes the subject matter of: a computer-readable medium whose contents cause control logic in an adapter module to perform a method to adapt a hands-free car kit for communications with a Bluetooth-enabled wireless device, the method comprising: receiving communication signals from the Bluetooth-enabled wireless device with Bluetooth logic; passing the communication signals from the Bluetooth logic to hands-free communication logic; converting the communication signals from a first forth used by the Bluetooth-enabled wireless device to a second form used by the hands-free car kit under the direction of control logic; and transmitting the communications signals in the second form to the hands-free car kit.

This subject matter, when considered as a whole, comprises a unique combination of subject matter that is neither taught nor suggested by the prior art.

Regarding claim 24, the applicant includes the subject matter of: a system for use with a Bluetooth-enabled wireless device, comprising: a hands-free car kit, an adapter module, the adapter module further comprising: Bluetooth logic substantially compatible with at least one Bluetooth standard to exchange communication signals with the Bluetooth enabled wireless device, hands-free communication logic substantially compatible with the handsfree car kit to exchange communication signals with the hands-free car kit, wherein the Bluetooth logic is communicatively coupled to the hands-free communication logic to exchange communication signals between the Bluetooth-enabled wireless device and the hands-free car kit. This subject matter, when considered as a whole, comprises a unique combination of subject matter that is neither taught nor suggested by the prior art.

Regarding claim 25, the applicant includes the subject matter of: a method for manufacturing an adapter module, comprising: integrating Bluetooth logic, hands-free communication logic and control logic into an adapter module, and at least partially enclosing the Bluetooth logic, hands-free communication logic and control, logic in a housing adapted to fit into a hands-free car kit cradle. This subject matter, when considered as a whole, comprises a unique combination of subject matter that is neither taught nor suggested by the prior art.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

CHENNAKESHU et al (US 6,542,758 B1)

KENNEDY et al (US 6,377,825 B1)

KINNUNEN (US 6,687,517 B2)

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Raymond B. Persino whose telephone number is (703) 308-7528. The examiner can normally be reached on Monday-Thursday from 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian C. Chin can be reached on (703) 308-6739. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Raymond B. Persino
Examiner
Art Unit 2682


10/1/09
LESTER G. KINCAID
PRIMARY EXAMINER